

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1824 - HB 1927

February 8, 2018

SUMMARY OF BILL: Prohibits a mental healthcare facility, health insurance entity, or healthcare facility from discriminating against a physician on the basis of the physician's decision not to participate in any form of maintenance of licensure or maintenance of certification. Declares that it does not prohibit a facility from requiring a physician to undergo remedial or corrective courses or training as may be required by a quality improvement committee.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Department of Health (DOH), the proposed legislation will not have an impact on the DOH, the Office of Health Care Facilities (HCF), or the providers' HCF licenses because it still allows the facility's credentials committee and quality improvement committee to require a physician to meet continuing medical education requirements and to undergo remedial or corrective courses or training; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Division of TennCare (Division), none of the Division's managed care organizations (MCOs) currently use maintenance of board certification as a requirement for contracting nor do they discriminate on reimbursement based on board certification; therefore, any fiscal impact to the Division is estimated to be not significant.
- Based on information provided by the Department of Intellectual and Developmental Disabilities (DIDD), the proposed legislation will not impact DIDD's ability to collect intermediate care facility revenue from the Division; therefore, any fiscal impact is estimated to be not significant.
- Based on information provided by the Department of Mental Health and Substance Abuse Services, the proposed legislation would not affect the DMHSAS's ability to require that a physician at a regional mental health institute has completed a residency in psychiatry.
- Based on information provided by the Department of Commerce and Insurance (DCI), the proposed legislation will not have an impact on the programs or policies of the DCI; therefore, any fiscal impact is estimated to be not significant.

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- The Board of HCF is required to collect fees in an amount sufficient to pay the costs of operating the Board. All fees collected by the Board are deposited by the DOH with the State Treasurer to the credit of the General Fund and shall be expended by the Department and included in the appropriation made for the Board in the *General Appropriations Act*.
- Any change in expenditures for the Board of HCF is estimated to be not significant.
- The Board of HCF had a deficit of \$388,117 in FY15-16 and a deficit of \$161,129 in FY16-17.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Medical Examiners had an annual surplus of \$382,952 in FY15-16, an annual deficit of \$4,714 in FY16-17, and a cumulative reserve balance of \$2,855,288 on June 30, 2017.
- The Board of Osteopathic Physicians had an annual surplus of \$102,565 in FY15-16, an annual surplus of \$91,307 in FY16-17, and a cumulative reserve balance of \$794,231 on June 30, 2017.

IMPACT TO COMMERCE:

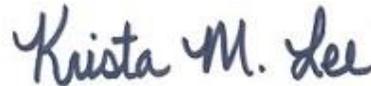
NOT SIGNIFICANT

Assumption:

- Prohibiting a mental healthcare facility, health insurance entity, or healthcare facility from discriminating against a physician on the basis of the physician's decision not to participate in any form of maintenance of licensure or maintenance of certification will not have a significant impact on commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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